

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

645Q0737

SENATE BILL NO. 184

Introduced by: Senators Hanson (Gary), Fryslie, Garnos, Maher, Peterson, and Schmidt and
Representatives Vanneman, Brunner, Hunhoff (Bernie), Jensen, Juhnke,
Lucas, and Turbiville

1 FOR AN ACT ENTITLED, An Act to require the terms of wind easements or options to
2 accommodate other easements for essential services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 43-13 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The terms of any wind easement or option that is granted after July 1, 2009, shall
7 accommodate reasonable use of other easements for essential services. For purposes of this
8 section, the term, essential services, includes any electric transmission and distribution lines and
9 associated facilities, energy generation facilities, telecommunications facilities, and rural water
10 systems.

